

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10079–S10169

Measures Introduced: Ten bills and one resolution were introduced, as follows: S. 1479–1488, and S. Res. 204. **Page S10140**

Measures Reported:

S. 910, to ensure the continuation of non-homeland security functions of Federal agencies transferred to the Department of Homeland Security, with amendments. (S. Rept. No. 108–115)

Report to accompany S. 1416, to implement the United States-Chile Free Trade Agreement. (S. Rept. No. 108–116)

Report to accompany S. 1417, to implement the United States-Singapore Free Trade Agreement. (S. Rept. No. 108–117) **Page S10139**

Measures Passed:

Dr. Yang Jianli Release: Senate agreed to S. Res. 184, calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, after agreeing to the committee amendments. **Page S10166**

Commending Signing of U.S.-Adriatic Charter: Senate agreed to H. Con. Res. 209, commending the signing of the United States-Adriatic Charter, a charter of partnership among the United States, Albania, Croatia, and The Former Yugoslav Republic of Macedonia, after agreeing to the committee amendments. **Pages S10166–67**

Postmaster Equity Act: Senate passed S. 678, to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters organizations in the process for the development and planning of certain policies, schedules, and programs, after agreeing to the committee amendment in the nature of a substitute. **Pages S10167–68**

Energy Policy Act: Senate continued consideration of S. 14, to enhance the energy security of the United States, taking action on the following amendments proposed thereto:

Pages S10080–82, S10083–90, S10100–33

Adopted:

Bingaman Amendment No. 1410 (to Amendment No. 1386), to reinstate congressional review of corporate average fuel economy standards for passenger vehicles.

By 66 yeas to 30 nays (Vote No. 310), Bond Modified Amendment No. 1386, to impose additional requirements for improving automobile fuel economy and reducing vehicle emissions. **Pages S10080, S10104–05, S10115–16**

Rejected:

By 32 yeas to 65 nays (Vote No. 309), Durbin Amendment No. 1384, to amend title 49, United States Code, to improve the system for enhancing automobile fuel efficiency. **Pages S10080, S10105–14**

Pending:

Campbell Amendment No. 886, to replace “tribal consortia” with “tribal energy resource development organizations”. **Page S10080**

Durbin Modified Amendment No. 1385, to amend the Internal Revenue Code of 1986 to provide additional tax incentives for enhancing motor vehicle fuel efficiency. **Page S10080**

Domenici Amendment No. 1412, to reform certain electricity laws. **Pages S10115–33**

Bingaman Amendment No. 1413, to strengthen the Federal Energy Regulatory Commission's authority to review public utility mergers. **Pages S10116–25**

Bingaman Amendment No. 1418 (to Amendment No. 1412), to preserve the Federal Energy Regulatory Commission's authority to protect the public interest prior to July 1, 2005. **Pages S10125–33**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9 a.m., on Wednesday, July 30, 2003; with 2½ hours of debate on the Cantwell amendment, followed by a vote to occur thereon. **Page S10169**

Nomination Considered: Senate continued consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Pages S10090–S10100**

During consideration of this measure today, Senate also took the following action:

By 53 yeas to 43 nays (Vote No. 308), three-fifths of those Senators duly chosen and sworn, not having

voted in the affirmative, Senate rejected the third motion to close further debate on the nomination.

Page S10100

Nomination: Senate began consideration of the nomination of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Pages S10133–34

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, July 31, 2003.

Pages S10133–34

Authority for Committees All committees were authorized to file legislative and executive reports during the adjournment of the Senate on Tuesday, August 26, 2003, from 10 a.m. to 12 noon.

Pages S10168–69

Nomination—Agreement: A unanimous-consent agreement was reached providing for further consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, with a vote on the motion to close further debate on the nomination to occur following the vote on the Cantwell amendment to S. 14, Energy Policy Act.

Page S10169

Chile/Singapore Trade Agreements—Consent Agreement: A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to the consideration of H.R. 2738, to implement the United States-Chile Free Trade Agreement, and H.R. 2739, to implement the United States-Singapore Free Trade Agreement en bloc, under certain conditions for debate only; that upon the use or yielding back of time, the bills be read a third time and the Senate then immediately proceed to a Senate Resolution regarding the immigration provisions included in H.R. 2738 and H.R. 2739 (both listed above); the resolution then be agreed to; provided further, the Senate then proceed to a vote on passage H.R. 2739, U.S.-Singapore Free Trade Agreement, followed by a vote on passage of H.R. 2738, U.S.-Chile Free Trade Agreement.

Page S10086

Executive Reports of Committees: Senate received the following executive reports of a committee:

Report to accompany the Agreement between the United States and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population (Treaty Doc. 107–10), Agreement with Canada Amending the Treaty on Pacific Coast Albacore Tuna Vessels and Port Privileges (Treaty Doc. 108–1), and the Agreement Amending the 1987 Treaty on Fisheries

with Certain Pacific Island States of April 2, 1987 (Treaty Doc. 108–2) (Ex. Rept. 108–7); and

Pages S10139–40

Report to accompany the Convention for the Unification of Certain Rules for International Carriage by Air (Treaty Doc. 106–45), and the Protocol to Amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air Signed at Warsaw on October 12, 1929, done at The Hague September 28, 1955 (The Hague Protocol). (Treaty Doc. 107–14) (Ex. Rept. 108–8)

Page S10140

Nominations Confirmed: Senate confirmed the following nominations:

Roger Francisco Noriega, of Kansas, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Stephen D. Krasner, of California, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2005.

Charles Edward Horner, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007.

A routine list in the Foreign Service. Page S10169

Messages From the House: Page S10138

Executive Communications: Pages S10138–39

Executive Reports of Committees: Pages S10139–40

Additional Cosponsors: Pages S10140–42

Statements on Introduced Bills/Resolutions: Pages S10142–54

Additional Statements: Pages S10137–38

Amendments Submitted: Pages S10154–65

Authority for Committees to Meet: Pages S10165–66

Privilege of the Floor: Page S10166

Record Votes: Three record votes were taken today. (Total—310) Pages S10100, S10114, S10115

Recess: Senate met at 9:30 a.m., and recessed at 8:49 p.m., until 9 a.m., on Wednesday, July 30, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10169.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded hearings on the nominations of General Peter J. Schoomaker (Ret.), USA, for appointment as Chief of

Staff, United States Army and appointment to the grade of general; and Lieutenant General Bryan D. Brown, USA, who was introduced by Senator Roberts, for appointment as Commander, United States Special Operations Command and appointment to the grade of general, after the nominees testified and answered questions in their own behalf.

CREDIT GRANTING PROCESS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine consumer awareness and understanding of the credit granting process, focusing on the importance of the national credit reporting system and credit scoring, adverse action notices and risk-based credit pricing, the accuracy of consumer credit reports, consumer education and financial literacy, after receiving testimony from Dolores S. Smith, Director, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System; Donna J. Gambrell, Deputy Director for Compliance and Consumer Protection, Division of Supervision and Consumer Protection, Federal Deposit Insurance Corporation; Joel Winston, Associate Director, Financial Practices Division, Bureau of Consumer Protection, Federal Trade Commission; Travis B. Plunkett, Consumer Federation of America, and Stacey Davis Stewart, Fannie Mae Foundation, both of Washington, D.C.; Cheri St. John, Fair Isaac Corporation, San Rafael, California; and Scott Hildebrand, Capital One Financial Corporation, McLean, Virginia.

PHYSICAL SCIENCES RESEARCH

Committee on Energy and Natural Resources: Subcommittee on Energy concluded hearings to examine the role of the Department of Energy's Office of Science in supporting research in physical sciences, programs that support many of the DOE's missions, and research that lays the foundation for many of the current and future developments in the applied missions of the DOE in energy, defense, and environmental issues, after receiving testimony from Spencer Abraham, Secretary, Raymond Orbach, Director, Office of Science, and Hermann A. Grunder, Director, Argonne National Laboratory, all of the Department of Energy; Burton Richter, Stanford University Linear Accelerator Center, Menlo Park, California; and G. Wayne Clough, Georgia Institute of Technology, Atlanta, Georgia.

MERCURY EMISSIONS

Committee on Environment and Public Works: Committee concluded hearings to examine climate history and its implications, and the science underlying fate, transport and health effects of mercury emissions, after receiving testimony from Deborah C. Rice, Maine Department of Environmental Protec-

tion, Augusta; David R. Legates, University of Delaware Center for Climatic Research, Newark; Michael E. Mann, University of Virginia Department of Environmental Sciences, Charlottesville; Willie Soon, Harvard-Smithsonian Center for Astrophysics, Cambridge, Massachusetts; Gary Myers, University of Rochester, Rochester, New York; and Leonard Levin, Electric Power Research Institute, Palo Alto, California.

IRAQ RECONSTRUCTION

Committee on Foreign Relations: Committee concluded hearings to examine status and prospects for reconstruction relating to Iraq, focusing on pre-war planning, progress and the current mission, and efforts to restore public safety, health, power, oil, the economy, and funding for Iraq relief and reconstruction, after receiving testimony from Joshua B. Bolten, Director, Office of Management and Budget; and Paul Wolfowitz, Deputy Secretary, and General John M. Keane, USA, Acting Chief of Army Staff, both of the Department of Defense.

NOMINATIONS

Committee on Governmental Affairs: Committee concluded hearings on the nominations of Joe D. Whitley, of Georgia, to be General Counsel, who was introduced by Senators Miller and Chambliss, and Penrose C. Albright, of Virginia, to be Assistant Secretary for Plans, Programs, and Budget, both of the Department of Homeland Security; and Joel David Kaplan, of Massachusetts, to be Deputy Director of the Office of Management and Budget, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine the nomination of Howard Radzely, of Maryland, to be Solicitor for the Department of Labor, after the nominee testified and answered questions in his own behalf.

L-1 VISA AND AMERICAN INTERESTS

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded hearings on the L-1 visa and American interests in the 21st century global economy, after receiving testimony from Senator Dodd; Beth R. Verman, Systems Staffing Group, Inc., Bala Cynwyd, Pennsylvania, on behalf of National Association of Computer Consultant Business; Daryl R. Buffenstein, Global Personnel Alliance, Atlanta, Georgia; Michael W. Gildea, Department for Professional Employees (AFL-CIO), and Austin T. Fragomen, Jr., American Council on International Personnel, Inc., both of Washington, D.C.; Stephen Yale-Loehr, Cornell Law

School, Ithaca, New York; and Patricia Fluno, Orlando, Florida.

VETERANS HEALTH CARE

Committee on Veterans' Affairs: Committee concluded to examine S. 613, to authorize the Secretary of Veterans Affairs to construct, lease, or modify major medical facilities at the site of the former Fitzsimons Army Medical Center, Aurora, Colorado, S. 615, to name the Department of Veterans Affairs outpatient clinic in Horsham, Pennsylvania, as the "Victor J. Saracini Department of Veterans Affairs Outpatient Clinic", S. 1144, to name the health care facility of the Department of Veterans Affairs located at 820 South Damen Avenue in Chicago, Illinois, as the "Jesse Brown Department of Veterans Affairs Medical Center", S. 1156, to amend title 38, United States Code, to improve and enhance the provision of long-term health care for veterans by the Department of Veterans Affairs, to enhance and improve authorities relating to the administration of personnel of the Department of Veterans Affairs, S. 1213, to amend title 38, United States Code, to enhance the ability of the Department of Veterans Affairs to improve benefits for Filipino veterans of World War II and survivors of such veterans, S. 1283, to require advance notification of Congress regarding any action proposed to be taken by the Secretary of Veterans Affairs in the implementation of the Capital Asset Realignment for Enhanced Services initiative of the Department of Veterans Affairs, and S. 1289, to name the Department of Veterans Affairs Medical Center in Minneapolis, Minnesota, after Paul Wellstone, after receiving testimony from Tim McClain, General Counsel, Department of Veterans Affairs; Cathleen C. Wiblemo, American Legion,

Paul A. Hayden, Veterans of Foreign Wars of the United States, Adrian M. Atizado, Disabled American Veterans, and Carl Blake, Paralyzed Veterans of America, all of Washington, D.C.; and Richard Jones, AMVETS, Lanham, Maryland.

COMBAT MEDICAL BADGE

Committee on Veterans' Affairs: Committee concluded hearings to examine U.S. Army policies on the award of the Combat Medical Badge, after receiving testimony from Lieutenant General John M. LeMoyné, Deputy Chief of Staff, G1, United States Army; Chief Warrant Officer 5 Michael J. Novosel, USA (Ret.), Enterprise, Alabama; Chief Warrant Officer 5 John M. Travers, USA (Ret.), Harrisburg, Pennsylvania; and William Fredrick Castleberry, Owens Cross Roads, Alabama.

SOCIAL SECURITY

Special Committee on Aging: Committee concluded hearings to examine a current law trust fund exhaustion scenario if no action is taken to strengthen Social Security, focusing on the GAO report analyzing the "do nothing" scenario with the analytical framework previously used to evaluate the models developed by the President's Commission to strengthen Social Security, after receiving testimony from David M. Walker, Comptroller General of the United States, General Accounting Office; James B. Lockhart III, Deputy Commissioner of Social Security, Social Security Administration; Thomas R. Saving, Social Security Board of Trustees, College Station, Texas; and Brad Smith, Knoxville, Tennessee, on behalf of Social Good through Politics (Harvard University).

House of Representatives

Chamber Action

Measures Introduced: There were no bills or resolutions introduced in the House today.

Additional Cosponsors: Page H7790

Reports Filed: Reports were filed as follows (filed on Friday, July 25, 2003):

H.R. 2535, to reauthorize and improve the program authorized by the Public Works and Economic Development Act of 1965, amended (H. Rept. 108-242, Pt. 1). Page H7790

Speaker Pro Tempore: The Speaker read a letter wherein he appointed Representative Doolittle to act as Speaker pro tempore for today. Page H7789

Meeting Hour/Order of Business: The Speaker announced that when the House adjourn today, it shall adjourn to meet at 4 p.m. on Friday, August 1, 2003, unless it sooner has received a message from the Senate transmitting an amendment to H. Con. Res. 259 in the form that was reported at the desk, in which case the House shall be considered to have concurred in such Senate amendment and to have adjourned pursuant to such concurrent resolution, as amended. Page H7789

Senate Messages: Message received from the Senate today appears on page H7789.

Referral: S. 481 was referred to the Committee on Government Reform. **Page H7789**

Quorum Calls—Votes: No yea-and-nay votes or recorded votes developed during the proceedings of the House today. There were no quorum calls.

Adjournment: The House met at 4 p.m. and adjourned at 4:05 p.m. The House stands adjourned until 4 p.m. on Friday, August 1, 2003, unless it sooner has received a message from the Senate transmitting an amendment to H. Con. Res. 259 in the form that was reported at the desk, in which case the House shall be considered to have concurred in such amendment and shall stand adjourned until 2 p.m. on Wednesday, September 3, 2003.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D858)

H.R. 2330, to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people. Signed on July 28, 2003. (Public Law 108-61).

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 30, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings to examine space exploration, 2:30 p.m., SR-253.

Committee on Environment and Public Works: business meeting to consider S. 1279, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area, H.R. 274, to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Blackwater National Wildlife Refuge, S. 930, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a program to provide assistance to enhance the ability of first responders to prepare for and respond to all hazards, S. 269, to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species, S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, S. 793, to provide for increased

energy savings and environmental benefits through the increased use of recovered mineral component in federally funded projects involving procurement of cement or concrete, H.R. 1018, to designate the building located at 1 Federal Plaza in New York, New York, as the "James L. Watson United States Court of International Trade Building", H.R. 281, to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Tony Hall Federal Building and United States Courthouse", S. 1210, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries, S. 1425, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program, proposed legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify requirements relating to the recycled oil, and proposed legislation to amend the Toxic Substances Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act to implement the Stockholm Convention on Persistent Organic Pollutants, the Protocol on Persistent Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 9:30 a.m., SD-406.

Committee on Finance: to hold hearings to examine the nominations of Robert Stanley Nichols, of Washington, to be Assistant Secretary for Public Affairs, and Teresa M. Ressel, of Virginia, to be Assistant Secretary for Management, both of the Department of Treasury; to be immediately followed by a business meeting to consider the nominations of Glen L. Bower, of Illinois, to be a Judge of the United States Tax Court, James J. Jochum, of Virginia, to be an Assistant Secretary of Commerce, and Josette Sheeran Shiner, of Virginia, to be a Deputy United States Trade Representative, with the rank of Ambassador, 10 a.m., SD-215.

Committee on Foreign Relations: to hold hearings to examine the nominations of Jeffrey A. Marcus, of Texas, to be Ambassador to Belgium, Constance Albanese Morella, of Maryland, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador, George H. Walker, of Missouri, to be Ambassador to Hungary, and Jackie Wolcott Sanders, for the rank of Ambassador during her tenure of service as United States Representative to the Conference on Disarmament and the Special Representative of the President of the United States for Non-Proliferation of Nuclear Weapons, 9 a.m., SD-419.

Committee on Governmental Affairs: business meeting to consider the nominations of Joe D. Whitley, of Georgia, to be General Counsel, and Penrose C. Albright, of Virginia, to be Assistant Secretary, both of the Department of Homeland Security, and Joel David Kaplan, of Massachusetts, to be Deputy Director of the Office of Management and Budget, Time to be announced, Room to be announced.

Permanent Subcommittee on Investigations, to hold hearings to examine practices for identifying and caring for new cases of SARS, 9 a.m., SD-342.

Committee on Health, Education, Labor, and Pensions: business meeting to consider the nominations of Howard Radzely, of Maryland, to be Solicitor for the Department of Labor, and Michael Young, of Pennsylvania, to be a Member of the Federal Mine Safety and Health Review Commission, Time to be announced, S-216, Capitol.

Committee on Indian Affairs: business meeting to consider pending calendar business, to be followed by oversight hearing on potential settlement mechanisms of the Cobell v. Norton lawsuit, 10 a.m., SH-216.

Full Committee, to hold hearings to examine S. 578, to amend the Homeland Security Act of 2002 to include Indian tribes among the entities consulted with respect to

activities carried out by the Secretary of Homeland Security, 2 p.m., SH-216.

Committee on the Judiciary: to hold hearings to examine S.J. Res.15, proposing an amendment to the Constitution of the United States to make eligible for the Office of President a person who has been a United States citizen for 20 years, 10 a.m., SD-226.

Full Committee, to hold hearings to examine S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, 2:30 p.m., SD-226.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

9 a.m., Wednesday, July 30

Next Meeting of the HOUSE OF REPRESENTATIVES

4 p.m., Friday August 1 *

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 14, Energy Policy Act, with a vote on the Cantwell amendment, following 2½ hours of debate. Senate will then resume consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, with a vote on the motion to close further debate on the nomination to occur, following 60 minutes of debate.

House Chamber

*** Program for Friday:** The House stands adjourned until 4 p.m. on Friday, August 1, 2003, unless it sooner has received a message from the Senate transmitting an amendment to H. Con. Res. 259 in the form that was reported at the desk, in which case the House shall be considered to have concurred in such amendment and shall stand adjourned until 2 p.m. on Wednesday, September 3, 2003.

Extensions of Remarks, as inserted in this issue

HOUSE

John, Christopher, La., E1667



Congressional Record

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